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Attorneys for United States of America

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Approximately 69,370 Bitcoin (BTC), Bitcoin  
Gold (BTG), Bitcoin SV (BSV), and Bitcoin  
Cash (BCH) seized from  
1HQ3Go3ggs8pFnXuHVHRytPCq5fGG8Hbhx

Defendant.

CASE NO. CV 20-7811 RS

DECLARATION OF CLAUDIA A. QUIROZ IN  
SUPPORT OF UNITED STATES' REPLY IN  
SUPPORT OF MOTION TO STRIKE THE CLAIMS  
OF CLAIMANTS BATTLE BORN INVESTMENTS  
COMPANY, LLC, FIRST 100, LLC AND 1ST ONE  
HUNDRED HOLDINGS, LLC

Hearing Date: September 9, 2021  
Time: 1:30 p.m.  
Court: Hon. Richard Seeborg

First 100, LLC, 1st One Hundred Holdings,  
LLC, and Battle Born Investments  
Company, LLC,

Claimants.

1 I, CLAUDIA A. QUIROZ, state as follows:

2 1. I am an Assistant United States Attorney in the Northern District of California. I am an  
3 attorney of record in the above-referenced matter. I respectfully submit this declaration in Support of  
4 the United States' Reply in Support of Motion to Strike the claims filed by Claimants Battle Born  
5 Investments Company, LLC; First 100, LLC; and 1st One Hundred Holdings, LLC ("Claimants").

6 2. On October 2, 2013, the United States commenced a civil action in the Southern District  
7 of New York by filing a verified complaint seeking, among other things, forfeiture of the Silk Road  
8 hidden website, any and all bitcoins contained in wallet files residing on Silk Road Servers, and all  
9 property traceable thereto ("Defendants in Rem"). *See United States v. Any And All Assets of Silk Road,*  
10 *Including But Not Limited To The Silk Road Hidden Website And Any And All Bitcoins Contained In*  
11 *Wallet Files Residing On Silk Road Servers, Including The Servers Assigned The Following Internet*  
12 *Protocol Addresses [] And All Property Traceable Thereto*, Case No. CV-13-06919, Dkt. No. 4  
13 (S.D.N.Y. Oct. 2, 2013) (hereinafter "SDNY Civil Forfeiture Action"). The complaint sought forfeiture  
14 of the Defendants in Rem pursuant to Title 18, United States Code, Section 981(a)(1)(A), on the grounds  
15 that they constituted property involved in money laundering transactions, in violation of 18 U.S.C. §  
16 1956. *Id.* The complaint also sought the imposition of civil money laundering penalties. *Id.*

17 3. On January 2, 2014, the United States Attorney's Office for the Southern District of New  
18 York filed a Declaration of Publication that attached a Notice of Forfeiture for the Silk Road assets  
19 seized on or about October 2, 2013. Attached hereto as Exhibit 1 is a true and accurate copy of the  
20 Declaration of Publication filed by the United States Attorney's Office in the SDNY Civil Forfeiture  
21 Action on January 2, 2014 (Dkt. No. 13). The Notice of Forfeiture listed the property against which the  
22 government filed a verified Complaint for Forfeiture pursuant to 18 U.S.C. § 981. This included "[a]ny  
23 and all assets of Silk Road, including but not limited to Silk Road Hidden Website," "[a]ny and all assets  
24 of Silk Road, including but not limited to any and all Bitcoins contained in wallet files residing on Silk  
25 Road servers, including the servers assigned to" six different Internet Protocol Addresses; and "[a]ny  
26 and all assets of Silk Road, including but not limited to 27,618.69843, Silk Road Market Place Bitcoins  
27 as of block chain Account Number 262280 which was seized on or about October 02, 2013."

28 4. On January 8, 2014, the United States Attorney's Office for the Southern District of New

1 York filed a separate Declaration of Publication that attached a second Notice of Forfeiture for the  
2 property seized from Ulbricht's computer and residence, including "all proceeds of all Bitcoins on  
3 Ulbricht's computer hardware traceable to the operation of Silk Road with public Key:  
4 1FfmbHfnpaZjKFvyi1okTjJJusN455paPH which was seized on or about October 25, 2013 at 2825  
5 Diamond Street, San Francisco, CA." Attached hereto as Exhibit 2 is a true and accurate copy of the  
6 Declaration of Publication filed by the United States Attorney's Office in the SDNY Civil Forfeiture  
7 Action on January 8, 2014 (Dkt. No. 14).

8         5.         On January 15, 2014, the District Court in the Southern District of New York entered a  
9 Partial Judgment by Default and Order of Forfeiture ordering the forfeiture of the Silk Road website and  
10 "any and all Bitcoins contained in the wallet files residing on Silk Road servers" (i.e., the "Silk Road  
11 Server Bitcoins"). The Court ordered that the government "shall have judgment by default against the  
12 Silk Road Hidden Website and the Silk Road Server Bitcoins" and ordered them forfeited to the United  
13 States. Attached hereto as Exhibit 3 is a true and accurate copy of the District Court's Order (Dkt. No.  
14 19.)

15         I declare under penalty of perjury that the foregoing is true and correct to the best of my  
16 knowledge and belief. Executed this 24th day of August 2021 in San Francisco, California.

17  
18                                 Claudia A. Quiroz  
19                                 CLAUDIA A. QUIROZ  
20                                 Assistant United States Attorney  
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# **EXHIBIT 1**

PREET BHARARA  
 United States Attorney for the  
 Southern District of New York  
 By: CHRISTINE I. MAGDO  
 Assistant United States Attorney  
 One St. Andrew's Plaza  
 New York, New York 10007  
 Tel. (212) 637-2297

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UNITED STATES DISTRICT COURT :  
 SOUTHERN DISTRICT OF NEW YORK :  
 UNITED STATES OF AMERICA, :

Plaintiff, :

- v. - :

ROSS WILLIAM ULBRICHT, :  
 a/k/a "Dread Pirate Roberts," :  
 a/k/a "DPR," :  
 a/k/a "Silk Road," :

Defendant, :

ANY AND ALL ASSETS OF SILK ROAD, :  
 INCLUDING BUT NOT LIMITED TO THE :  
 SILK ROAD HIDDEN WEBSITE AND ANY AND :  
 ALL BITCOINS CONTAINED IN WALLET :  
 FILES RESIDING ON SILK ROAD :  
 SERVERS, INCLUDING THE SERVERS :  
 ASSIGNED THE FOLLOWING INTERNET :  
 PROTOCOL ADDRESSES: :

46.183.219.244; 109.163.234.40; :  
 193.107.86.34; 193.107.86.49; :  
 207.106.6.25; AND 207.106.6.32; :

And all property traceable thereto, :

Defendants-in-rem. :

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DECLARATION OF  
PUBLICATION

No. 13 Civ. 6919 (JPO)  
 ECF Case

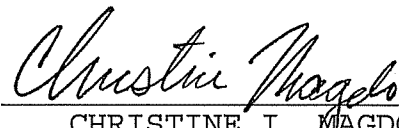
I, CHRISTINE I. MAGDO, pursuant to Title 28, United States Code, Section 1746, hereby declare under the penalty of perjury:

That I am an Assistant United States Attorney in the office of the United States Attorney for the Southern District of New York, and

That attached to this declaration are (1) a true and correct copy of a notice of civil forfeiture in this action, (2) a true and correct copy of an Advertisement Certification Report, indicating that the aforementioned notice was posted on an official government internet site ([www.forfeiture.gov](http://www.forfeiture.gov)) for at least 30 consecutive days, beginning on October 18, 2013 as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, and

That both documents referenced-above were obtained from a Consolidated Asset Tracking System maintained by the Department of Justice.

Dated: New York, New York  
January 2, 2014

  
CHRISTINE I. MAGDO

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK  
COURT CASE NUMBER: 13 CV. 6919; NOTICE OF FORFEITURE ACTION**

Pursuant to 18 U.S.C. § 981, the United States filed a verified Complaint for Forfeiture against the following property:

Any and all assets of Silk Road, including but not limited to Silk Road Hidden Website. (13-FBI-007031)

Any and all assets of Silk Road, including but not limited to any and all Bitcoins contained in wallet files residing on Silk Road servers, including the servers assigned the following Internet Protocol Addresses 46.183.219.244. (13-FBI-007042)

Any and all assets of Silk Road, including but not limited to any and all Bitcoins contained in wallet files residing on Silk Road servers, including the servers assigned the following Internet Protocol Address: 109.163.234.40. (13-FBI-007046)

Any and all assets of Silk Road, including but not limited to any and all Bitcoins contained in wallet files residing on Silk Road servers, including the servers assigned the following Internet Protocol Address: 193.107.86.34. (13-FBI-007047)

Any and all assets of Silk Road, including but not limited to any and all Bitcoins contained in wallet files residing on Silk Road servers, including the servers assigned the following Internet Protocol Address: 193.107.86.49. (13-FBI-007049)

Any and all assets of Silk Road, including but not limited to any and all Bitcoins contained in wallet files residing on Silk Road servers, including the servers assigned the following Internet Protocol Address: 207.106.6.25. (13-FBI-007050)

Any and all assets of Silk Road, including but not limited to any and all Bitcoins contained in wallet files residing on Silk Road servers, including the servers assigned the following Internet Protocol Address: 207.106.6.32. (13-FBI-007051)

Any and all assets of Silk Road, including but not limited to 27,618.69843, Silk Road Market Place Bitcoins as of block chain Account Number 262280 which was seized on or about October 02, 2013. (14-FBI-000042)

Any person claiming a legal interest in the Defendant Property must file a verified Claim with the court within 60 days from the first day of publication (October 18, 2013) of this Notice on this official government internet web site and an Answer to the complaint or motion under Rule 12 of the Federal Rules of Civil Procedure within 21 days thereafter. 18 U.S.C. § 983(h)(1) permits a court to impose a civil fine on anyone asserting an interest in property which the court determines was frivolous.

The verified Claim and Answer must be filed with the Clerk of the Court, United States District Court, 500 Pearl Street, Room 120, New York, NY 10007, and copies of each served upon Assistant United States Attorney Christine Magdo, One St. Andrew's Plaza, New York, NY 10007, or default and forfeiture will be ordered. See, 18 U.S.C. § 983(a)(4)(A) and Rule G(5) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions.



### Advertisement Certification Report

The Notice of Publication was available on the [www.forfeiture.gov](http://www.forfeiture.gov) web site for at least 18 hours per day between October 18, 2013 and November 16, 2013. Below is a summary report that identifies the uptime for each day within the publication period and reports the results of the web monitoring system's daily check that verifies that the advertisement was available each day.

U.S. v. Ross William Ulbricht, Silk Road et. al

**Court Case No:** 13 CV. 6919  
**For Asset ID(s):** See Attached Advertisement Copy

Consecutive Calendar Day Count	Date Advertisement Appeared on the Web Site	Total Hours Web Site was Available during Calendar Day	Verification that Advertisement existed on Web Site
1	10/18/2013	24.0	Verified
2	10/19/2013	24.0	Verified
3	10/20/2013	24.0	Verified
4	10/21/2013	24.0	Verified
5	10/22/2013	24.0	Verified
6	10/23/2013	24.0	Verified
7	10/24/2013	24.0	Verified
8	10/25/2013	23.9	Verified
9	10/26/2013	24.0	Verified
10	10/27/2013	24.0	Verified
11	10/28/2013	24.0	Verified
12	10/29/2013	24.0	Verified
13	10/30/2013	24.0	Verified
14	10/31/2013	24.0	Verified
15	11/01/2013	24.0	Verified
16	11/02/2013	24.0	Verified
17	11/03/2013	24.0	Verified
18	11/04/2013	24.0	Verified
19	11/05/2013	24.0	Verified
20	11/06/2013	24.0	Verified
21	11/07/2013	24.0	Verified
22	11/08/2013	23.9	Verified
23	11/09/2013	24.0	Verified
24	11/10/2013	24.0	Verified
25	11/11/2013	24.0	Verified
26	11/12/2013	24.0	Verified
27	11/13/2013	24.0	Verified
28	11/14/2013	24.0	Verified
29	11/15/2013	24.0	Verified
30	11/16/2013	24.0	Verified

Additional log information is available and kept in the archives for 15 years after the asset has been disposed.



## **EXHIBIT 2**

PREET BHARARA  
 United States Attorney for the  
 Southern District of New York  
 By: CHRISTINE I. MAGDO  
 Assistant United States Attorney  
 One St. Andrew's Plaza  
 New York, New York 10007  
 Tel. (212) 637-2297

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UNITED STATES DISTRICT COURT :  
 SOUTHERN DISTRICT OF NEW YORK :  
 UNITED STATES OF AMERICA, :

Plaintiff, :

- v. - :

ROSS WILLIAM ULBRICHT, :  
 a/k/a "Dread Pirate Roberts," :  
 a/k/a "DPR," :  
 a/k/a "Silk Road," :

Defendant, :

ANY AND ALL ASSETS OF SILK ROAD, :  
 INCLUDING BUT NOT LIMITED TO THE :  
 SILK ROAD HIDDEN WEBSITE AND ANY AND :  
 ALL BITCOINS CONTAINED IN WALLET :  
 FILES RESIDING ON SILK ROAD :  
 SERVERS, INCLUDING THE SERVERS :  
 ASSIGNED THE FOLLOWING INTERNET :  
 PROTOCOL ADDRESSES: :  
 46.183.219.244; 109.163.234.40; :  
 193.107.86.34; 193.107.86.49; :  
 207.106.6.25; AND 207.106.6.32; :

And all property traceable thereto, :

Defendants-in-rem. :

- - - - - x

DECLARATION OF  
PUBLICATION

No. 13 Civ. 6919 (JPO)

ECF Case

I, CHRISTINE I. MAGDO, pursuant to Title 28, United States Code, Section 1746, hereby declare under the penalty of perjury:

That I am an Assistant United States Attorney in the office of the United States Attorney for the Southern District of New York, and

That attached to this declaration are (1) a true and correct copy of a notice of civil forfeiture in this action, (2) a true and correct copy of an Advertisement Certification Report, indicating that the aforementioned notice was posted on an official government internet site ([www.forfeiture.gov](http://www.forfeiture.gov)) for at least 30 consecutive days, beginning on November 8, 2013 as required by Rule G(4) (a) (iv) (C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, and

That both documents referenced-above were obtained from a Consolidated Asset Tracking System maintained by the Department of Justice.

Dated: New York, New York  
January 8, 2014

  
CHRISTINE I. MAGDO

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK  
COURT CASE NUMBER: 13 CIV. 6919; NOTICE OF FORFEITURE ACTION**

Pursuant to 18 U.S.C. § 981, the United States filed a verified Complaint for Forfeiture against the following property:

50% of all proceeds of all Bitcoins on Ulbricht's computer hardware traceable to the operation of Silk Road with public Key: 1FfmbHfnpaZjKFvyi1okTjJJusN455paPH which was seized on or about October 25, 2013 at 2825 Diamond Street, San Fransisco, CA (14-DEA-590810)

50% of all proceeds of all Bitcoins on Ulbricht's computer hardware traceable to the operation of Silk Road with public Key: 1FfmbHfnpaZjKFvyi1okTjJJusN455paPH which was seized on or about October 25, 2013 at 2825 Diamond Street, San Fransisco, CA (14-FBI-000267)

Any person claiming a legal interest in the Defendant Property must file a verified Claim with the court within 60 days from the first day of publication (November 08, 2013) of this Notice on this official government internet web site and an Answer to the complaint or motion under Rule 12 of the Federal Rules of Civil Procedure within 21 days thereafter. 18 U.S.C. § 983(h)(1) permits a court to impose a civil fine on anyone asserting an interest in property which the court determines was frivolous.

The verified Claim and Answer must be filed with the Clerk of the Court, United States District Court, 500 Pearl Street, Room 120, New York, NY 10007, and copies of each served upon Assistant United States Attorney Christine Magdo, One St. Andrew's Plaza, New York, NY 10007, or default and forfeiture will be ordered. See, 18 U.S.C. § 983(a)(4)(A) and Rule G(5) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions.



### Advertisement Certification Report

The Notice of Publication was available on the [www.forfeiture.gov](http://www.forfeiture.gov) web site for at least 18 hours per day between November 8, 2013 and December 07, 2013. Below is a summary report that identifies the uptime for each day within the publication period and reports the results of the web monitoring system's daily check that verifies that the advertisement was available each day.

U.S. v. Ross William Ulbricht, Silk Road et. al

**Court Case No:** 13 CIV. 6919  
**For Asset ID(s):** See Attached Advertisement Copy

Consecutive Calendar Day Count	Date Advertisement Appeared on the Web Site	Total Hours Web Site was Available during Calendar Day	Verification that Advertisement existed on Web Site
1	11/08/2013	23.9	Verified
2	11/09/2013	24.0	Verified
3	11/10/2013	24.0	Verified
4	11/11/2013	24.0	Verified
5	11/12/2013	24.0	Verified
6	11/13/2013	24.0	Verified
7	11/14/2013	24.0	Verified
8	11/15/2013	24.0	Verified
9	11/16/2013	24.0	Verified
10	11/17/2013	24.0	Verified
11	11/18/2013	24.0	Verified
12	11/19/2013	24.0	Verified
13	11/20/2013	24.0	Verified
14	11/21/2013	24.0	Verified
15	11/22/2013	24.0	Verified
16	11/23/2013	24.0	Verified
17	11/24/2013	24.0	Verified
18	11/25/2013	23.7	Verified
19	11/26/2013	24.0	Verified
20	11/27/2013	24.0	Verified
21	11/28/2013	24.0	Verified
22	11/29/2013	24.0	Verified
23	11/30/2013	24.0	Verified
24	12/01/2013	24.0	Verified
25	12/02/2013	24.0	Verified
26	12/03/2013	24.0	Verified
27	12/04/2013	24.0	Verified
28	12/05/2013	24.0	Verified
29	12/06/2013	24.0	Verified
30	12/07/2013	23.4	Verified

Additional log information is available and kept in the archives for 15 years after the asset has been disposed.

## **EXHIBIT 3**

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 1/15/2014

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

-against-

ROSS WILLIAM ULBRICHT,  
a/k/a "Dread Pirate Roberts,"  
a/k/a "DPR,"  
a/k/a "Silk Road,"

Defendant,

ANY AND ALL ASSETS OF SILK ROAD, INCLUDING  
BUT NOT LIMITED TO THE SILK ROAD HIDDEN  
WEBSITE AND ANY AND ALL BITCOINS CONTAINED  
IN WALLET FILES RESIDING ON SILK ROAD  
SERVERS, INCLUDING THE SERVERS ASSIGNED  
THE FOLLOWING INTERNET PROTOCOL  
ADDRESSES: 46.183.219.244;  
109.163.234.40; 193.107.86.34;  
193.107.86.49; 207.106.6.25; AND  
207.106.6.32;

And all property traceable thereto,

Defendants-in-rem.

PARTIAL JUDGMENT BY  
DEFAULT AND ORDER  
OF FORFEITURE

No. 13 Civ. 6919 (JPO)

ECF Case

WHEREAS, on September 30, 2013, the United States commenced a civil action for the forfeiture of the above-referenced Any and All Assets of Silk Road, Including but not Limited to the Silk Road Hidden Website (the "Silk Road Hidden Website") and Any and All Bitcoins Contained in Wallet Files Residing on Silk Road Servers, Including the Servers Assigned the Following Internet



Protocol Addresses: 46.183.219.244; 109.163.234.40; 193.107.86.34; 193.107.86.49; 207.106.6.25; And 207.106.6.32, (the "Silk Road Server Bitcoins"); and all property traceable thereto (the "Traceable Property") (collectively, the "Defendants in Rem") by the filing of a Verified Complaint;

WHEREAS, the Traceable Property includes but is not limited to any and all bitcoins contained in wallet files residing on certain computer hardware belonging to Ross William Ulbricht ("Ulbricht"), that were seized on or about October 24, 2013 by the United States pursuant to a Court-ordered protective order (the "Computer Hardware Bitcoins");

WHEREAS, on or about November 8, 2013 a notice letter and copy of the Verified Complaint were sent by Federal Express to the following as counsel for Ross William Ulbricht:

Joshua Dratel, Esq.  
Law Offices of Joshua L. Dratel P.C.  
29 Broadway, Suite 1412  
New York, NY 10006

WHEREAS, Ulbricht is the only individual known by the Government to have a potential interest in the Defendants in Rem;

WHEREAS, on or about December 12, 2013, Ulbricht filed a timely verified claim in this proceeding, asserting an ownership interest in the Computer Hardware Bitcoins;



WHEREAS, notice of the Verified Complaint against the Silk Road Hidden Website and the Silk Road Server Bitcoins was posted on the official government internet site, [www.forfeiture.gov](http://www.forfeiture.gov), for at least 30 consecutive days, beginning on October 18, 2013, and proof of such publication was filed with the Clerk of this Court on January 2, 2014;

WHEREAS, no claims or answers have been filed or made in this judicial forfeiture action as to Silk Road Hidden Website and the Silk Road Server Bitcoins, and the requisite time periods in which to do so, as set forth in 18 U.S.C. § 983(a)(4)(A) and Rule G of the Supplement Rules for Admiralty or Maritime Claims and Asset Forfeiture Claims, have expired;

NOW THEREFORE, on the motion of Preet Bharara, United States Attorney for the Southern District of New York, attorney for the plaintiff United States of America, by Assistant United States Attorney Christine I. Magdo, of counsel;

IT IS HEREBY ORDERED THAT:

1. Plaintiff United States of America shall have judgment by default against the Silk Road Hidden Website and the Silk Road Server Bitcoins.

2. The Silk Road Hidden Website and the Silk Road Server Bitcoins shall be, and the same hereby are, forfeited to the plaintiff United States of America.

3. The United States Marshals Service shall dispose of the Silk Road Hidden Website and the Silk Road Server Bitcoins according to law.

4. This action shall remain pending with respect to Any and All Assets of Silk Road and All Property Traceable Thereto, including but not limited to the Computer Hardware Bitcoins.

SO ORDERED:

A handwritten signature in black ink, appearing to read "J. Paul Oetken", is written over a horizontal line.

J. PAUL OETKEN  
United States District Judge

January 15, 2014